

SHB 2016 - H AMD 58

By Representative Moeller

1 On page 25, beginning on line 11, strike all of Sec. 202 and
2 insert the following:

3

4 **"Sec. 202.** RCW 42.17.369 and 2000 c 237 s 3 are each amended to
5 read as follows:

6 (1) (~~By July 1, 1999,~~) The commission shall make available to
7 candidates, public officials, and political committees that are
8 required to file reports under this chapter an electronic filing
9 ~~((alternative))~~ system for submitting financial affairs reports,
10 contribution reports, and expenditure reports(~~(, including but not~~
11 ~~limited to filing by diskette, modem, satellite, or))~~ over the
12 internet.

13 (2) By January 1, (~~2002~~) 2012, the commission shall make
14 available to lobbyists (~~and~~), lobbyists' employers, and agencies
15 required to file reports under RCW 42.17.150, 42.17.170, 42.17.175,
16 (~~or~~) 42.17.180, or 42.17.190 (as recodified by this act) an
17 electronic filing (~~alternative~~) system for submitting these reports
18 (~~(including but not limited to filing by diskette, modem, satellite,~~
19 ~~or))~~ over the internet.

20 (3) The commission shall make available to candidates(~~(,)~~) and
21 public officials(~~(,)~~) filing financial affairs reports and political
22 committees(~~(, lobbyists, and lobbyists' employers))~~ an electronic
23 ~~((copy of the appropriate reporting forms))~~ filing system at no
24 charge."

25

26 On page 51, beginning on line 13, strike all of Sec. 410 and
27 insert the following:

1 **"Sec. 410.** RCW 42.17.3691 and 2000 c 237 s 4 are each amended to
2 read as follows:

3 (1) ~~((Beginning January 1, 2002, each candidate or political~~
4 ~~committee that expended twenty five thousand dollars or more in the~~
5 ~~preceding year or expects to expend twenty five thousand dollars or~~
6 ~~more in the current year shall file all contribution reports and~~
7 ~~expenditure reports required by this chapter by the electronic~~
8 ~~alternative provided by the commission under RCW 42.17.369. The~~
9 ~~commission may make exceptions on a case by case basis for candidates~~
10 ~~whose authorized committees lack the technological ability to file~~
11 ~~reports using the electronic alternative provided by the commission.~~

12 ~~— (2) Beginning January 1, 2004,))~~ Each candidate or political
13 committee that expended ten thousand dollars or more in the preceding
14 year or expects to expend ten thousand dollars or more in the current
15 year shall file all contribution reports and expenditure reports
16 required by this chapter ~~((by the electronic alternative))~~
17 electronically over the internet as provided by the commission under
18 RCW 42.17.369 (as recodified by this act). ~~((The commission may make~~
19 ~~exceptions on a case by case basis for candidates whose authorized~~
20 ~~committees lack the technological ability to file reports using the~~
21 ~~electronic alternative provided by the commission.~~

22 ~~— (3))~~ (2)(a) Beginning January 1, 2012, lobbyists required to
23 register under RCW 42.17.150 (as recodified by this act), or report
24 under RCW 42.17.170 (as recodified by this act), whose total
25 reportable accrued compensation for lobbying, whether from or on
26 behalf of one or more lobbyists' employers, was ten thousand dollars
27 or more for the previous calendar year, or is expected to be ten
28 thousand dollars or more for the current calendar year, must file all
29 reports required by this chapter electronically over the internet as
30 provided by the commission under RCW 42.17.369 (as recodified by this
31 act).

32 (b) Beginning January 1, 2013, lobbyists' employers required to
33 report under RCW 42.17.180 (as recodified by this act) whose total
34 reportable accrued expenses and payments for lobbying, including those

1 through or on behalf of one or more lobbyists, was ten thousand
2 dollars or more for the previous calendar year, or is expected to be
3 ten thousand dollars or more for the current calendar year, must file
4 all reports required by this chapter electronically over the internet
5 as provided by the commission under RCW 42.17.369 (as recodified by
6 this act).

7 (c) Beginning January 1, 2012, all agencies required to report
8 under RCW 42.17.190 (as recodified by this act) must file all lobbying
9 reports required by this chapter electronically over the internet as
10 provided by the commission under RCW 42.17.369 (as recodified by this
11 act).

12 (3) The commission may make exceptions on a case-by-case basis for
13 candidates, lobbyists, lobbyists' employers, or agencies when they
14 lack the technological ability to file reports electronically.

15 (4) Failure by a candidate ((or)), political committee, lobbyist,
16 lobbyist's employer, or agency to comply with this section is a
17 violation of this chapter.

18
19 NEW SECTION. Sec. 411. A new section is added to chapter 42.17
20 RCW to read as follows: (1) Effective July 1, 2009, lobbyists and
21 lobbyists' employers who are registered or required to report for
22 either calendar years 2009 or 2010, or both, or who subsequently
23 register for any part of calendar years 2009 or 2010, shall pay a one-
24 time fee to the public disclosure commission for the development and
25 implementation of the electronic filing system under RCW 42.17.369 as
26 follows:

27 (a) Two hundred fifty dollars for each lobbyist whose total
28 reportable accrued compensation for lobbying, whether from or on
29 behalf of one or more lobbyists' employers, was ten thousand dollars
30 or more for the previous calendar year, or is expected to be ten
31 thousand dollars or more for the current calendar year;

32 (b) Five hundred dollars for each lobbyist employer whose total
33 reportable accrued expenses and payments for lobbying, including those
34 through or on behalf of one or more lobbyists, was ten thousand

1 dollars or more for the previous calendar year, or is expected to be
2 ten thousand dollars or more for the current calendar year; and

3 (c) Five hundred dollars for each agency required to file under
4 RCW 42.17.190.

5 (2) Fees received under this section must be deposited into the
6 lobbying electronic filing account under section 412 of this act.

7 (3) Lobbyists who lobby for nonprofit, fund-raising organizations
8 exempt from taxation under section 501(c)(3) of the internal revenue
9 code, and lobbyist employers who are a nonprofit, fund-raising
10 organization exempt from taxation as under section 501(c)(3) of the
11 internal revenue code, are exempt from paying the fees in this
12 section.

13
14 NEW SECTION. **Sec. 412.** A new section is added to chapter 42.17
15 RCW to read as follows: (1) The lobbying electronic filing account is
16 created in the custody of the state treasurer. All receipts from fees
17 paid by lobbyists, lobbyists' employers, and agencies under section 3
18 of this act must be deposited into the account. Expenditures from the
19 account may be used only for costs incurred as a result of the design,
20 development, implementation, and maintenance of:

21 (a) Software or other applications to accommodate electronic
22 filing of the reports required for lobbyists, lobbyists' employers,
23 and public agencies reporting under chapter 42.17 RCW; and

24 (b) A database and query system compatible with current
25 architecture, technology, and operating systems that results in
26 readily available data to the public for review and analysis.

27 (2) Only the executive director of the public disclosure
28 commission or the executive director's designee may authorize
29 expenditures from the account. The account is subject to allotment
30 procedures under chapter 43.88 RCW, but an appropriation is not
31 required for expenditures."

32
33 Renumber the sections consecutively and correct any internal
34 references accordingly.

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2 On page 118, line 27, after "Sec. 1107." strike "Section" and
3 insert "Sections 411, 412, and"

4
5 Correct the title.
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8 **EFFECT:** Beginning January 1, 2012, lobbyists whose reportable
9 compensation was \$10,000 or more in 2011, or is expected to be
10 \$10,000 in 2012, must file the required disclosure reports
11 electronically over the Internet. Beginning January 1, 2012,
12 all agencies required to file lobbying reports must file the
13 reports electronically over the Internet. Beginning January 1,
14 2013, lobbyist employers whose reportable expenses and payments
15 for lobbying was \$10,000 or more in 2012, or is expected to be
16 \$10,000 or more in 2013, must file the required disclosure
17 reports electronically over the Internet.

18 Effective August 1, 2009, lobbyists, lobbyist employers, and
19 agencies must pay a one-time fee to the PDC for development and
20 implementation of an electronic filing system for reporting
21 lobbying disclosure reports. Lobbyists whose lobbying income
22 was \$10,000 in 2008 or is expected to be \$10,000 or more in
23 2009 must pay a fee of \$250. Lobbyist employers whose accrued
24 expenses and payments for lobbying was \$10,000 in 2008, or is
25 expected to be \$10,000 or more in 2009, must pay a fee of \$500.
26 Agencies required to file under RCW42.17.190 must pay a fee of
27 \$500.

28 The fees collected must be deposited into the lobbying
29 electronic filing account (account) created in the custody of
30 the State Treasurer. Expenditures from the account may be used
31 only for costs incurred for the design, development,
32 implementation and maintenance of an application to accommodate
33 electronic filing for lobbying reports, and a database and
34 query system compatible with current systems.

35 The sections requiring payment of fees and the creation of the
36 lobbying electronic filing account take effect immediately.
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